

Chapter 625: Sewage and Water Regulation

SECTION 625.010: RULES AND REGULATIONS FOR WATER SUPPLY SYSTEM

The following rules and regulations are hereby adopted to govern the water services furnished by the municipality in a uniform manner for the benefit of the municipality and its water users. They are subject to change from time to time. All such changes must be approved by the State Director of the Farmers Home Administrations, United States Department of Agriculture, or his successor, so long as the municipality has unpaid obligations which are held by or insured by the United States of America. If any portion of these rules shall be declared invalid by competent authority, such voidance shall not affect the validity of the remaining portions.

Definitions:

Municipality: The Village of Wardsville, Missouri

Applicant: Any individual, firm, partnership, corporation or other agency owning land within the municipality applying for water user's agreement.

Board: The Board of Trustees of the municipality

Water User: Any individual, firm, partnership, corporation or other agency receiving water and water services, or to whom water services are made available from the municipal facilities pursuant to a written water user's agreement.

Residential User: any user of the Village of Wardsville water system whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Point of Delivery: The point of delivery shall be at the water, unless otherwise specified in the water user's agreement.

Service: The term when used in connection with the supplying of water shall mean the availability for use by the water user of water adequate to meet the water user's requirement. Service shall be considered as available when the municipality maintains the water supply at normal pressure at the point of delivery, in readiness for the water user's use, regardless of whether or not the water user makes use of it.

Water User's Agreement: The written agreement or contract between or contract between the water user and the municipality, pursuant to which water service is supplied or made available.

State Director: The State Director of the Farmers Home Administration for Missouri, United States Department of Agriculture, or his successor.

Water Service: A water service shall consist of facilities for supplying water to one residence or business establishment located on land within the municipality or outside the municipality if user furnishes connection to system at municipality boundary or at nearest available connecting point within the municipal limits.

Water Distribution System: all piping, conduits, valves, hydrants, storage facilities, pumps and other appurtenances, excluding service connections, which serve to deliver water from water treatment plant or source to the public.

Service Connection: each individual connection of a user to a water main or pipe for the purpose of conveying water to a point of use.

Service Line: any water line or pipe connected to a public water supply's distribution main or pipe that conveys water to a point of use. Each service line is owned and maintained by the customer at that service connection and such line begins at the customer's side of meter.

Water Main: any water main line or pipe which conveys water to a point of use from a water treatment plant, source, or water storage facility. Water mains are owned and maintained by the Village.

Water Treatment Plant: a facility which uses specific processes such as sedimentation, coagulation, filtration, disinfection, aeration, oxidation, ion exchange, fluoridation, or other processes which serve to add components or to alter or remove contaminants from a water supply source.

Water Meter: a water volume measuring and recording device, furnished and/or installed by the Village of Wardsville or furnished and/or installed by a user and approved by the Village of Wardsville. Each individual service connection shall have a water meter.

Cross-Connection: any actual or potential connection or structural arrangement between a public water system and any other source or system through which it is possible to introduce into any part of the public water system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices and any other temporary or permanent devices through which or because of which, backflow can or may occur are considered cross-connections.

Person: any individual, firm, company, association, society, corporation, or group.

pH: the negative logarithm of the concentration of hydrogen ions in an aqueous solution.

Public Water System: a system for provision to the public of piped water for human consumption, if the system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) individuals daily at least sixty days out of the year. The system

includes any collection, treatment, storage or distribution facilities used in connection with the system. A public water system is either a community water system or a non-community water system.

Community Water System: a public water system which serves at least fifteen (15) service connections or regularly serves at least twenty-five (25) residents on a year-round basis.

Sanitary Sewer: a sewer which carries sewage and to which storm, surface and groundwater are not intentionally admitted.

Shall is mandatory; May is permissive

Superintendent: the Superintendent of Water Works, who is in responsible charge of the operation and maintenance of the public water supply serving the Village.

Operation and Maintenance: all expenditures during the useful life of the system for materials, labor, utilities, and other items which are necessary for managing and maintaining the system to achieve the capacity and performance for which system was designed and constructed.

Replacement: expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the system to maintain the capacity and performance for which such works were designed and constructed. The term Operation and Maintenance includes replacement.

Useful Life: estimated period during which the treatment works will be operated.

User Charge: the portion of the total water service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the water system.

A. The owner of all houses, buildings, or properties used for human employment, recreation, residence or other purposes, situated within the village and abutting on any street, alley, or right-of-way there is now located or may in the future be located access to public water system within 150 feet of the property line, is hereby required to connect to such facilities in accordance with the provisions of this ordinance, within thirty (30) days after date of official notice to do so.

B. Any property owner wishing to utilize a water provider other than the Village of Wardsville municipal water system shall first receive approval from the Board of Trustees and must show that the municipal water system is unavailable or completely impractical, in the sole opinion of the Board of Trustees, in order to receive approval.

No person or entity shall dig or cause to be dug any well for potable or other water usage or consumption within the corporate limits of the Village of Wardsville without first receiving the approval of the Board of Trustees of the Village. The Board of Trustees shall have the ability to deny any such request should they, in their sole discretion, find that digging of such a well shall be injurious to the health, safety or welfare of the Village on its citizens.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

When a public water system becomes available, customers that connect must physically disconnect from the existing private system (well), in accordance with the village's cross-connection prevention ordinance. The well shall then be properly plugged in accordance with guidelines established by the Missouri Department of Natural Resources Division of Geology and Land Survey (DGLS) and outlined in state regulation 10 CSR 23--3.110 as amended, unless the owner wants to keep it functional for uses other than providing drinking water. A well may only be kept if it remains physically disconnected from the public water supply's distribution system, has a functional pump, is connected to an electrical service, and is pumped at least once in a twelve month period. Upon connecting to the public water system, the appropriate DNR Regional Office shall be notified, in writing, that the connection(s) have been completed.

C. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public water system or appurtenance thereof without first obtaining a written permit from the Superintendent.

The owner or his agent shall make application on a special form furnished by the village to connect to the system. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee as set by the Board for a residential, commercial building or industrial permit shall be paid to the village at the time the application is filed.

All cost and expenses incident to the installation of the service line and connection to the public water system shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the water service.

A separate and independent service connection shall be provided for every building.

The size, alignment, material, used in the construction of new or the replacement of the existing public water system, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the most recent edition of the Missouri Department of Natural Resources (MDNR), Public Drinking Water Program, Design Guide for Community Public Water Supplies. A

Permit to Construct, issued by MDNR, will be received prior to construction, alteration or extension of the water system.

The applicant for a public water system connection permit shall notify the Superintendent when service line is ready for inspection and connection to the Superintendent or his representative.

All excavations for public water system improvements, replacements or repairs shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the village.

D. No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the public water system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

E. The Superintendent and other duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspections, observation, measurement, sampling, and testing in accordance with the provision of this ordinance.

While performing the necessary work on private properties referred to in this chapter, the Superintendent or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company shall be held harmless for injury or death to the Village employees and the village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the public water system lying within said easement. All entry and subsequent work, in any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

F. Any person found to be violating any provision of this ordinance except Part C of this chapter shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person who shall continue any violation beyond the time limit provided for in this chapter, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in an amount set by the Board for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss, or damage occasioned the Village by reason of such violation.

G. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this chapter which can be given effect without such invalid part or parts.

In the event that any water from the Village system is released through a water line connected to the Village system, which said water line is not owned by the Village, the person releasing such water shall reimburse the Village of the water released at the current rate. A release of water shall include, but not be limited to, flushing or testing of lines and line breaks.

Section 1: The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the water system which the Village may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the water system shall be established by this chapter.

Section 2: That portion of the total user charge collected which is designated for the operation and maintenance including replacement purposes as established in Section 4, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance, and Replacement Fund and will be kept in two primary accounts as follows:

a. The operation and Maintenance Account shall be an account shall be an account designated for specific purpose of defraying operation and maintenance costs of the water system. Deposits in the Operation and Maintenance Account shall be made from user charge revenue.

b. The Replacement Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the water system. Deposits in the Replacement Account shall be made from user charge revenue per Appendix "B" and "C" and made a part of this chapter.

Section 3: Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in each subsequent fiscal year, and shall be used for no other purposes than those designated for these

accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement per discretion of the Board. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

Section 4: Each user shall pay for the services provided by the Village of Wardsville based on their use of the water system as determined by water meter(s) acceptable to the Village of Wardsville.

All monthly user charges will be based on monthly water usage.

User charge fees will be applied per Section 625.033 hereof.

The user charge rates established in this Section apply to all users of the Village's system, regardless of the user's location.

Section 5: The Board of Trustees of the Village of Wardsville hereby determines that it is in the best interests of the citizens of the Village to acquire bids for the performance of the following work:

Construction of a water tower and extension of water lines

Bidders may bid on either the water tower or the water line extension or both. All work shall be done in compliance with applicable state laws. Contractor shall provide the necessary material, labor, and equipment to complete such work, said contract shall provide that all workmen employed by the contractor performing such work shall be paid prevailing wages as required under Chapter 290 RSMo. Contractor shall furnish evidence of workers compensation insurance and liability insurance.

To facilitate the authorization provided in Section 5, the Village Clerk is hereby authorized and directed to advertise for bids for the services so designated. Said concerns to provide a bid for all materials, labor, and equipment to perform and complete this work, shall state that all bids shall be accompanied by a certified check or bid bond with corporate surety equal to five percent (5%) of the bid, payable to the Village, and that without such check or bond, such bid shall not be considered, shall state that the bid shall state the prevailing rate of wages for each type of workman employed, and that the contract will provide penalties of ten dollars (\$10) per day for each workman if prevailing wages are not paid and five hundred dollars (\$500.00) per day if the work is not completed by the completion date. Said advertisement shall state that the bids shall be for said services and work is to be done in accordance with the specifications set forth herein; shall require bids to be for the work to be done in its entirety; shall state that bids must be received by the Village Clerk by a specific time and date; shall state that the Board of Alderman reserves the right to reject any and all bids, and to accept only a portion of the work bid for; shall state that bids shall provide that if the bid is accepted,

the bidder shall provide a bond to the Village before work is commenced, which will guarantee the bidder's performance of the work bid for; shall state that all bids shall be submitted on bid-contract forms provided by the Village of Wardsville.

All contracts will be awarded for one year, with an option to renew for additional periods.

Section 6: All users shall be billed monthly and payable by the fifteenth (15) day after the first of the month. Every service charge specified in this section remaining unpaid for forty (40) days after the date of its billing may be increased by ten (10) percent for each thirty day period such charge remains unpaid after the expiration of forty (40) days from the date of its billing.

Services shall be deemed to be furnished to both the occupant and owner of all residential, commercial or industrial, and governmental establishments receiving water service, occupant and owner of such establishments shall be severally and jointly liable for payment of the charges for such service rendered on or to premises upon which such establishments are located. If any bill for such service is not paid within fifteen (15) days from the first day of the month, the Village of Wardsville may sue the occupant, the owner, or both, of the establishments of such service or for which such service has been made available, and receive any sums for such services plus a reasonable attorney's fees to be fixed by the court and the cost of suit. Such suit shall be instituted by the Village of Wardsville counselor upon the order of the Chairman of the Board of Trustees of the Village of Wardsville. In addition, the Village of Wardsville may use such other means now or hereafter available to it under the statutes of Missouri and the city code of the Village of Wardsville to effect collection of any bill for water service remaining unpaid upon the expiration of fifteen (15) days from the date of such bill.

In the even either the occupant or owner of property which receives water service furnished by the Village of Wardsville has reason to dispute the amount or nature of any bill, the recipient shall be permitted to make payment under protest, provided that the recipient provide to the Village at the time of payment the following information:

1. The period of time for which the service is disputed
2. The reason for the dispute
3. The request remedy.

Nothing contained herein shall in any way forgive or avoid any payment to the Village of Wardsville as outlined in this chapter for water services. Upon receipt of any such payment under protest, the Public Works Committee shall respond in writing to the recipient of the service with a response to their complaint and a copy shall be forwarded to the Village Clerk, the Chairman of the Public Works Committee, the Village Board, and reply shall be forthcoming within a reasonable amount of time.

No person shall connect onto the public water supply distribution system or install any water meter which connects directly or indirectly to the public water supply distribution system of the Village without first providing written notice to the Village Clerk. Such notice shall specifically describe the location where the meter for such connection is, or

will be, located. Any such meter shall be easily accessible by the Village or its employees and shall be readable without the entrance to any building. Any connection or installation made in violation of these provisions may be disconnected by the Village at the cost of the landowner.

The Board of Trustees, in the Village of Wardsville, Missouri, is hereby authorized to direct Village personnel to provide the means and to proceed with the introduction of the fluoridation into the public drinking water supply of Wardsville, Missouri, in such quantities as are required to provide throughout the pipe distribution system a fluoride concentration of approximately one part fluoride per million parts of water.

The Board of Trustees, in the Village of Wardsville, Missouri shall, further direct Village personnel to keep an accurate record of the amount of fluoride bearing chemical applied to the quantities of water treated, and cause such analytical tests to be made for fluoride in the untreated and treated water as it shall be directed to do by the Missouri Department of Health.

Section 6: The Village of Wardsville shall review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including costs among users and user classes.

The Village of Wardsville will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, and maintenance including replacement of the treatment works.

Rate Schedule: Rate Schedules for water and water service are fixed by the Board. The rate schedule is subject to change by action of the Board with the approval of the State Director. If a provision of the rules and regulation conflicts with a provision of the rate schedule, the provision of the rate schedule shall prevail. If the total amount of revenue and income derived from the collection of the water rates and charges is insufficient to meet the payment of the cost of operation, maintenance, depreciation, necessary extensions and enlargements, and payment of the principal and interest on any general and revenue bonds, then outstanding, with their attendant obligations pursuant to the terms of the bonds and authorizing resolutions, the Board will increase the water rates for the first month thereafter to an amount sufficient to meet these costs and obligations.

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the Village of Wardsville to collect charges from all users who use the Village's water system. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public water system.

Applications: water user's agreements shall make application to the Clerk of the municipality.

Readiness to accept service: Before installing a service extension and providing water, the Board may require the applicant to install pipe in their home and be in readiness to accept service.

Service is for sole use of the water user: A standard water service connection is for the sole use of the water user, and does not permit the extension of pipes to transfer water from one property to any other consumer. If an emergency or specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the Board for the duration of the emergency.

Agreements with governmental and public bodies: The Board may make specific water service contracts with the United States of America and its agencies, the State of Missouri, and its agencies, school districts and municipal corporations and private institutional users differing from stipulations set out in the rate schedule and rules. Such contracts must receive written approval by the State Director before being placed in effect.

Right of access: Representatives of the municipality shall have the right at all reasonable hours to enter upon the water user's premises to read and test meters, inspect piping, and to perform other duties for the maintenance and operation of service, or to remove its meters and equipment upon discontinuance of service by the water user.

Continuity of service: The municipality will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extensions, or for other necessary work. Efforts will be made to notify each water user who may be affected by such interruptions, but the municipality will not accept responsibility for losses which may occur due to such necessary interruptions. The municipality does not accept responsibility for losses which may occur due to interruptions of service for any cause.

Meters: Meters shall be furnished, installed, owned, inspected, tested and kept in proper operating condition by the municipality, without cost to the water user, except that each water user shall pay a connection fee set by the Board which shall not be refundable. A complete record of tests and histories of meters will be kept. Meter tests will be made according to methods of the American Waterworks Association by the municipality as often as deemed necessary by the Board.

Meter accuracy: Service water errors which do not exceed two percent (2%) fast or slow shall be considered as being within the allowable limits of accuracy for billing purposes. The percentage of error will be considered as that arrived at by taking the average of the error at full load and that at the ten percent (10%) load, unless a water user's rate of usage is known to be practically constant, in which case the error at such constant use will be used.

Meter location: Meters shall be set in a accessible place on the outside of buildings except where otherwise directed by the municipality. All meters shall be set horizontally

and never connected to a vertical pipe. Meters outside of buildings shall be placed in meter boxes, furnished and installed by the municipality.

Reconnection charges: The reconnection charge for restoration of service, if reconnection is authorized and approved under the provisions of the Ordinances of the municipality, after each suspension of service because of delinquent payment or for other infraction of these rules, shall be the unpaid amount plus interest at the rate of one-half percent (1/2%) per month and a fee set by the Board.

Requested meter tests: Meter tests requested by water users will be performed without cost to the water user if the meter is found to be in excess of two percent (2%) fast. Otherwise the water user for whom the requested test was made will be charged the cost of making the test.

Water user's responsibility: The water user shall be responsible for any damage to the meter installed for his service, from any cause other than normal wear and tear.

Change of occupancy: It shall be the water user's responsibility to anticipate any change of occupancy and to withdraw the balance of the meter deposit less any amount due the municipality. Until such withdrawal is made the original water user shall be responsible for payment of services.

Main extensions and future connections: In extending water mains to furnish service to an applicant or in making a connection to an existing main for an applicant after the completion of the original waterworks of the municipality, the charge for such connection shall be a connection fee set by the Board which is subject to adjustment to take into consideration the average cost of the entire system to each water user at the discretion of the Board. The municipality shall not be obligated to extend its mains to render service; however, except at the discretion of the Board, and unless sufficient funds are available in the renewal and extension fund of the waterworks to finance the entire cost of such extension.

Services: The municipality will install all water service pipes and accessories from its mains to the meters on property abutting the right-of-way along which the main is installed, and the water user shall pay to the municipality the actual cost of installing such pipes. The service pipe shall not be less than 3/4 inch in size. The municipality will also install the municipality c\meter and meter setting. The meter will be set in front of the premises to be served or at the closest point on the water user's premises as designated by the municipality.

Meter deposit: All water users of said municipality and applicants therefore shall make a service deposit before connecting any water service lines to the water lines and meters of said municipality. This meter deposit shall be established by ordinance and is in addition to the connection fee. The Board may establish a standard meter deposit and then adjust it for special cases such business establishment users requiring a large volume of water, special meters, etc.

Rate of tank sales: The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads and such rates as it may designate.

Applicants having excessive requirements: In the event any applicant's requirements are found to exceed the municipality's ability to supply it from existing plant without adversely affecting service to other water users to an unreasonable extent, the municipality will not be obligated to render such service, unless and until suitable self-liquidating financing is arranged to cover necessary investment in additional plant.

Connection with private water systems: There shall be no physical connection between any private water system and the water system of the municipality. Representatives of the municipality shall have the right at all reasonable hours to enter upon water user's premises for the purpose of inspection and enforcement of this provision. Violation of this provision shall constitute cause for disconnection of a water user's service.

All structures requiring potable drinking water within the Village of Wardsville shall connect to the municipal water system or another approved, treated water system supplier, which shall be their sole source of potable drinking water. New homes shall not utilize well water as their source for potable water. There shall be allowed no cross connection between the Wardsville water system and private water sources. All individuals, entities, and others who connects a building, property, or structure to the municipal water system shall be bound by existing sections of the Village of Wardsville Code with regards to connection and other fees.

Any property owner wishing to utilize a water provider other than the Village of Wardsville municipal water system shall first receive approval from the Board of Trustees, and must show that the municipal water system is unavailable or completely impractical, in the sole opinion of the Boards of Trustees, in order to receive said approval.

All residential, commercial or industrial, and governmental establishments located within the Village limits of the Village of Wardsville, whose sewer lines connect to Village lines or to Village facilities and whose water is supplied from private wells shall either (at the user's option) (A) pay a monthly rate for water consumption to that of a comparable household plus an additional twenty percent (20%); or (B) install a water meter on their water line. Said water meter shall be approved by the Village and shall be easily accessible by the Village or its employees and shall be readable without the entrance to any building.

No person or entity shall dig or cause to be dug any well for potable or other water usage or consumption within the corporate limits of the Village of Wardsville without first receiving the approval of the Board of Trustees of the Village. The board of Trustees shall have the ability to deny any such request should they, in their sole discretion, find that the digging of such a well shall be injurious to the health, safety or welfare of the Village on its citizens.

The owner of any property found to be in violation hereof shall be subject to a fine of not less than \$50.00 for each day that a property is in violation of the terms hereof. Each additional day that the property remains in violation of the terms hereof shall constitute a separate offense hereunder. The village shall also have the right to apply for and receive a temporary injunction or restraining order prohibiting the use of potable water other than from the municipal water supply system or another approved water system as primary water source for a structure as set forth herein.

In the event the total water supply shall be insufficient to meet all of the needs of the water users, or in the event there is a shortage of water, the municipality may pro-rate the water available among the various users on such basis as is deemed equitable by the Board, and may also prescribe a schedule of hours, covering the use of water for purposes specified in such ordinance, and require adherence thereto, or prohibit the use of water for certain specified purposes if at any time the total water supply be insufficient to meet all of the needs of all of the water users for domestic, livestock, garden and other purposes, and the municipality must first satisfy all the needs of the water users for domestic purposes before supplying any water for livestock purposes and must satisfy the needs of all the water users for domestic and livestock purposes before supplying water for other purposes.

(Source: Ord. No. 4, 73, 194)

SECTION 625.015: COMBINING WATER WORKS AND SEWAGE WORKS

Pursuant to the authority granted by Section 250.020 RSMo, the Board of Trustees of the Village of Wardsville does hereby combine the water works and sewage works of the Village, including all current and future facilities of the Village, and all such systems, structures and facilities shall be operated as a combined system for all purposes. (Source Ord. No. 55)

SECTION 625. 020: ADOPTION OF SEWAGE PERMITS AND INSPECTIONS

Cole County Public Works will issue permits and conduct inspections on new and/or existing septic tanks according to the Cold County regulations. Cole County has the right to charge inspections fees within the Corporate Limits of the Village of Wardsville. Adopted March 6, 1996. (Source Resolution No. 39)

SECTION 625.030: PROHIBITING HOOKING UP TO VILLAGE SEWERS

1. No person shall hook up to or tap into any Village of Wardsville Sewer line or treatment facility without permission nor without paying a hookup fee of One Thousand Dollars (\$1,000).
2. Violation of Section 625.030 shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00)

3. Persons charged with violations of this ordinance shall come under the jurisdiction of the municipal court and traffic violation bureau.

SECTION 625.031: TREATMENT IMPACT FEE FOR OTHER THAN SINGLE FAMILY RESIDENTIAL STRUCTURES

I.) Treatment Impact Fee- Other than Single Family Residential. Any person or property owner who connects or causes to be connected, any property to the Village Sewer system a building other than a single family residence, shall pay a Treatment Impact Fee in the amount of one thousand five hundred dollars (\$1500), if the building has the same sized water meter as generally used for single family residential buildings or an amount determined by the board if the building's water meter is of another size unless one of the following apply:

A.) Buildings other than single family residences which shall be treated as single family residences for the purposes of this section regardless of meter size and shall be assessed the same fee assessed to single family residences are 1) schools, 2) convenience stores 3) churches, 4) tanning salons, and 5) restaurants. For the purposes of this section the following buildings are hereby defined as:

- i.) School- Institution of learning and education including by not limited to:
 1. public schools established under state law, funded by public taxation, and open to and free to all children of the particular district where the school is located.
 2. Private schools maintained by private individuals, religious organizations, or corporations, funded, at least in part by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other qualifications.
 3. Institutions offering Technical or Vocational training.
- ii.) Convenience Store- A place of business that is primarily engaged in the retail sale of groceries, both groceries and gasoline, or liquor, for consumption off the premises. The term "convenience store" does not include a business that has at least ten thousand square feet of retail floor space.
- iii.) Church- a building for public worship.
- iv.) Tanning Salon- A business establishment which operates more than one tanning bed and where the operation of said beds constitute a majority of the business's revenue.
- v.) Restaurant- A building wherein food is prepared and served to the public for consumption on the premises or delivery, where the sale of food, exclusive of liquor, wine, or beer for consumption on the

premises, constitute a majority of sales made on or out of the premises.

B.) Buildings other than single family residences which shall be exempted from the treatment impact fee are accessory buildings.

C.)

i.) For the purposes of this section “accessory buildings” are hereby defined as buildings located in single family residential districts which are not a primary residence and which contain no bedroom and not more than one bathroom.

SECTION 625.032: A BAN ON LEAD IN PUBLIC AND PRIVATE DRINKING WATER PLUMBING

A. Purpose: To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and to protect city residents from lead contamination in the Village’s public drinking water system and their own private plumbing systems.

B. Application: Section 625.032 shall apply to all premises served by the public drinking water system of the Village of Wardsville, Missouri

C. Policy: The water purveyor will reasonably interpret this Ordinance. It is the purveyor’s intent to ban the use of lead based material in the construction or modification of the Village’s drinking water system or private plumbing connected to the Village system. The cooperation of all consumers is required to implement the lead ban.

If, in the judgment of the water purveyor or his authorized representative, lead base materials have been used in new construction or modifications after January 1, 1989, due notice shall be given to the consumer. In the event the account is in the name of a tenant, the tenant shall be given notice also. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free material. If the lead base materials are not removed from the plumbing system within seven (7) days of the date of the notice, the water purveyor will have the right to discontinue water service to the premises and assess a \$100 fine on the owner of the property, or his representative. The owner will pay any fees assessed.

Definitions: The following definitions shall apply in the interpretation and enforcement of Section 625.032.

- 1.) “Consumer” means the owner (or person in control of any premises in the event the property is the estate of a deceased person) supplied by or in any manner connected to a public water system;
- 2.) “Lead base materials” means any material containing lead in excess of the quantities specified in Section (A) (B);
- 3.) “Lead Free” means:
 - (A) When used with respect to solder and flux, refers to solders and flux containing not more than 0.2 percent (0.2%) lead; and

- (B) When used with respect to pipes and pipefittings, refers to pipes and pipefittings containing not more than eight percent (8.0%) lead.
- 4.) “Public drinking water system” means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources; and
- 5.) “Water Purveyor means the owner, operator or individual in responsible charge of a Public Water System.

No water service connection shall be installed or maintained to any premises where lead base materials were used in new construction or modifications of the drinking water plumbing after January, 1989.

If a premises is found to be in violation of this Section water service shall be discontinued until such time that the drinking water plumbing is lead free.

SECTION 625.033: SEWER RATES

A. Sewer Fee: All users of the Village sewer system shall pay a monthly fee for use of the system as set forth in this section, based on the average monthly amount of water consumed by the customer during the months of January, February and March of the current year. For customers using wells for water, a sewer rate shall be established based upon the average usage on the system for rate calculation plus 20%; or, in the alternative, the customer may install a meter, at their own costs, to be read. Customers moving into a residence after March will be charged \$35.00 per month until an accurate three months’ usage can be determined. Customers who vacate their property for the winter will be charged the average usage for the remainder of the year.

B. Minimum Sewer Fee Imposed: There shall be a minimum fee for sewer services, as set out above, per month, on all residences, apartments or multiple family buildings, mobile homes, mobile home pads or lots with sewer connections available, whether such buildings or units are, in fact, discharging any sewage or otherwise using any services.

New User Fee		
Water Used (gal)		Existing rates
1000	\$19.88	\$8.80
2000	\$24.85	\$8.80
3000	\$29.83	\$9.60
4000	\$34.78	\$11.20
5000	\$39.78	\$12.80
6000	\$44.76	\$14.40
7000	\$49.74	\$16.00
8000	\$54.72	\$17.60
9000	\$59.69	\$19.20

10000	\$64.67	\$20.80
Minimum Charge	\$14.90	
Cost per 1000 gal.	\$4.98	

SECTION 625.034: Damage or interruption of water or sewer services

Any person, persons or entity who damage, intentionally or unintentionally, or disrupt the quality and/or flow of water through a water line or cause damage to a sewer line connected to the Village systems shall be liable to the City for reimbursement of the actual costs incurred by the City in repairing, replacing, flushing, retesting, or any other action required by the City to remedy damage or interruption of service so caused. The City Clerk shall have the authority to produce an itemized bill and forward same to the individual, individuals, or entity found to have caused said damage or interruption. Payment of said invoice shall be due and payable within fifteen (15) days of receipt thereof. Failure on the part of the individual, individuals, or entity to make a timely payment on said invoice shall result in the City's ability to interrupt water service and/or sewer services of that individual, individuals, or entity, and, in addition thereto, to bring suit in the appropriate Court of Cole County, Missouri seeking full payment under the terms of Section 625.034.